

RETURN DATE: AUGUST 8, 2017	:	SUPERIOR COURT
	:	
ELIYAHU MIRLIS	:	J. D. OF NEW HAVEN
	:	
v.	:	AT NEW HAVEN
	:	
YESHIVA OF NEW HAVEN, INC.	:	JULY 19, 2017
FKA THE GAN, INC. FKA THE GAN	:	
SCHOOL, TIKVAH HIGH SCHOOL AND	:	
YESHIVA OF NEW HAVEN, INC.	:	

COMPLAINT

1. The Plaintiff, Eliyahu Mirlis (“Plaintiff”), is an individual with an address of 5 Barlow Road, Edison, New Jersey.

2. Upon information and belief, the Defendant, Yeshiva of New Haven, Inc. fka The Gan, Inc. fka The Gan School, Tikvah High School and Yeshiva of New Haven, Inc. (“Defendant”), is a Connecticut corporation with an address of 765 Elm Street, New Haven, Connecticut.

3. Defendant owns, and at all times complained of herein owned, the real property situated in the City of New Haven, County of New Haven, and State of Connecticut known as 765 Elm Street, New Haven, Connecticut (the “Property”), being more particularly described in **Exhibit A** attached hereto and incorporated by reference herein.

4. On June 6, 2017, the United States District Court for the District of Connecticut entered a judgment (the “Judgment”) in favor of Plaintiff in the matter entitled Eliyahu Mirlis v. Daniel Greer et al., No. 3:16-cv-00678 (MPS), against Defendant in the amount of \$21,749,041.10.

5. On July 7, 2017, the Judgment being wholly unsatisfied, Plaintiff caused a certificate of judgment lien (the “Judgment Lien”) to be filed in the Office of the City Clerk of said City of New Haven, Connecticut. The Judgment Lien described the Property as in Exhibit A hereof.

6. The Judgment remains unpaid in full, and there is presently due and owing Plaintiff \$21,749,041.10.

7. The following encumbrances of record upon the Property are prior in right to Plaintiff's Judgment Lien, and are not affected by this action:

a. The City of New Haven may claim an interest in the Property by virtue of inchoate liens for real estate taxes;

8. There are no encumbrances of record upon the Property that are subsequent in right to Plaintiff's Judgment Lien.

9. As a result of the foregoing, Plaintiff has been harmed.

10. A copy of the Lis Pendens giving notice of the institution of this foreclosure action is recorded on the New Haven Land Records.

WHEREFORE, the Plaintiff claims:

1. The foreclosure of the Judgment Lien;
2. Immediate possession of the Property;
3. Attorneys' fees to be taxed as part of the costs of this action;
4. Costs;
5. Interest;
6. A deficiency judgment against Defendant; and
7. Such other and further relief as the Court may deem just and equitable.

Dated at Bridgeport, Connecticut on this 19th day of July, 2016.

THE PLAINTIFF
ELIYAHU MIRLIS

By: 


Matthew K. Beatman
John L. Cesaroni
ZEISLER & ZEISLER, P.C.
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15th Floor
Bridgeport, Connecticut 06604
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His Attorneys

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NOTICE TO HOMEOWNER

NOTICE: A PERSON WHO IS UNEMPLOYED OR UNDER-EMPLOYED AND WHO HAS FOR A CONTINUOUS PERIOD OF AT LEAST TWO YEARS PRIOR TO THE COMMENCEMENT OF THIS FORECLOSURE ACTION OWNED AND OCCUPIED THE PROPERTY BEING FORECLOSED AS SUCH PERSON'S PRINCIPAL RESIDENCE, MAY BE ENTITLED TO CERTAIN RELIEF PROVISIONS UNDER SECTION 49-31d to 49-31i, INCLUSIVE, OF THE CONNECTICUT GENERAL STATUTES. YOU SHOULD CONSULT AN ATTORNEY TO DETERMINE YOUR RIGHTS UNDER THIS ACT.

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ELIYAHU MIRLIS

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STATEMENT OF AMOUNT IN DEMAND

The amount in demand is not less than \$15,000.00, exclusive of interest and costs.

THE PLAINTIFF
ELIYAHU MIRLIS

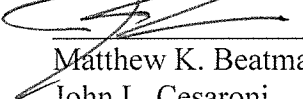
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EXHIBIT A

LEGAL DESCRIPTION OF 765 ELM STREET, NEW HAVEN, CONNECTICUT

ALL THOSE CERTAIN pieces or parcels of land, together with all buildings and improvements thereon standing, in the City of New Haven, County of New Haven and State of Connecticut, being described as follows:

First Piece

Easterly by Norton Street 170 feet,

Southerly by Elm Street 150 feet,

Westerly by land of the Estate of J.B. Wheat deceased,
152-8/10th feet,

Northerly by land of said estate 143-1/10th feet

Second Piece, being in the rear of the premises known as #220 and #222 Norton Street

East by land now or formerly of Helen E. Gilman, forty-nine and seven-tenths feet, being a straight line from a point in the South line of land now or formerly belonging to said Helen E. Gilman, one hundred and twenty-three and one-tenth feet from the Westerly line of Norton Street to a point in the North line of land now or formerly of said Helen E. Gilman, one hundred and twenty-one and eight-tenths feet from the Westerly line of Norton Street;

South in part by land now or formerly of the Board of Education of New Haven, as Trustee, for the City of New Haven School District, twenty feet, more or less, in part by land now or formerly of Ernest F. Moeller, forty-three and one-tenths feet, more or less; and in part by land now or formerly of Anna A. Clancey and Thomas A. Clancey, forty-one feet, more or less;

West by land now or formerly of John F. Kehoe, et al, one foot, more or less;

South again by land now or formerly of John F. Kehoe, et al, thirty-one and three-tenths feet, more or less;

West again in part by land now or formerly of Hans P.L. Hansen, forty-four feet, more or less, and in part by land now or formerly of Frank Pandajis forty-five feet, more or less;

North by land now or formerly of Lizzie Lubenow and August Lubenow, fifty-six feet, more or less;

East again by land now or formerly of Mary Downs and Julia C. Thomas, twenty-nine and five-tenths feet, more or less;

North again by land now or formerly of Mary Downs and Julia C. Thomas, seventy-nine and eight-tenths feet, more or less.

LEGAL DESCRIPTION
(CONTINUED)

Third Piece, known as 220-222 Norton Street

East by Norton Street, 35 feet, more or less;

North by land now or formerly of William W. Thomas,
121-8/10th feet;

West by land now or formerly of the Board of Education
of the City of New Haven as Trustee for the New Haven
City School District, 49-7/10th feet;

South by land now or formerly of the Board of Education
of the City of New Haven as Trustee for the New Haven
School District, 123-1/10th feet.

Fourth Piece, known as 224 Norton Street

Easterly by Norton Street, 80 feet, more or less;

Southerly by land now or formerly of Mrs. Edward Gilman
in part, and in part by land now or formerly of Jerome
B. Wheat, in all, 200 feet, more or less;

Westerly by land now or formerly of Jerome B. Wheat, 80
feet, more or less;

Northerly by land now or formerly of Jerome B. Wheat,
in part and in part by land now or formerly of Ada T.
Somers, in all, 200 feet, more or less.

TOGETHER WITH such rights, benefits, privileges, agreements and/or easements as may be set forth in that certain Agreement for Exchange of Easements dated December 17, 1991 and recorded in Volume 4441 at Page 72 of the New Haven Land Records.